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(MAR.051)

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**AMENDMENTS TO THE CLAIMS:**

1. (Currently amended) A server, comprising:  
  
processing means for processing data transferred from plural clients;  
  
comparing means for comparing an amount of received load corresponding to received data transferred from plural clients with a designated value; and  
  
judging means for judging whether a part of said received data should be discarded prior to receipt of at least a portion of said amount of received load by said processing means of said server,  
  
wherein said server controls said received load corresponding to said received data transferred from said plural clients based on a judged result of said judging means.
2. (Currently amended) A server in accordance with claim 1, wherein said designated value is set based on a receiving capacity of said processing means of said server.
3. (Currently amended) A server, comprising:  
  
processing means for processing data;  
  
shaper value setting means for setting a shaper value based on a receiving capacity of said processing means of said server; and  
  
shaper means for comparing an amount of received load corresponding to received data transferred from plural clients and said shaper value, and judging whether a part of said received data transferred from said plural clients should be discarded prior to receipt

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of at least a portion of said received load by said processing means of said server.

4. (Currently amended) A server in accordance with claim 3, wherein said shaper means discards a part of said received data exceeding said received load based on a judged result prior to receipt of said at least said portion of said received load by said processing means of said server.

5. (Previously presented) A server in accordance with claim 4, wherein, when said shaper judges that the amount of said received load exceeds said shaper value and discards a part of said received data, and when a part of said received data is discarded by utilizing an EPD (early packet discard), a remaining part of said received data is discarded.

6. (Previously presented) A server in accordance with claim 4, wherein when said shaper judges that the amount of said received load exceeds said shaper value and discards a part of said received data, a part of said received data is discarded from a packet including a low priority by utilizing a QoS (quality of service) based on an order of priority to each of said received data.

7. (Currently amended) A network system, comprising:  
plural clients connecting to a network; and  
a server connecting to said plural clients through said network,

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wherein said server includes a processing unit,

wherein said server controls an amount of received load corresponding to the received data transferred from said plural clients, and

wherein said server compares the amount of said received load corresponding to said received data with a designated value prior to receipt of at least a portion of said amount of received load by said processing unit.

8. (Currently amended) A network system in accordance with claim 7, wherein said server judges whether a part of said received data should be discarded based on said judged result prior to transferring said at least said portion of said amount of received load to said processing unit.

9. (Previously presented) A network system in accordance with claim 8, wherein said designated value is set based on a receiving capacity of said processing unit of said server.

10. (Currently amended) A network system, comprising  
plural clients connecting to a network; and  
a server connecting said plural clients through said network,  
wherein said server comprises:  
a processing unit that processes data transferred from said plural clients;  
shaper value setting means for setting a shaper value based on a receiving capacity of said processing unit of said server; and

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shaper means for comparing an amount of received load corresponding to received data transferred from said plural clients and said shaper value, and judging whether a part of said received data transferred from said plural clients should be discarded prior to receipt of at least a portion of said amount of received load by said processing unit.

11. (Currently amended) A network system in accordance with claim 10, wherein said shaper means discards a part of said received data when the amount of said received load exceeds said shaper value prior to receipt of said at least said portion of said amount of received load by said processing unit.

12. (Previously presented) A network system in accordance with claim 10, wherein, when said shaper means judges that the amount of said received load exceeds said shaper value and discards a part of said received data, and when a part of said received data is discarded by utilizing an EPD (early packet discard), a remaining part of said received data is discarded.

13. (Previously presented) A network system in accordance with claim 10, wherein, when said shaper means judges that the amount of said received load exceeds said shaper value and discards a part of said received data, a part of said received data is discarded from a packet including a low priority by utilizing a QoS (quality of service) based on an order of priority to each of said received data.

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14. (Currently amended) A received load control method at a network system in which a server connects to plural clients through a network, comprising:

setting a shaper value based on a receiving capacity of a processing unit of said server;

comparing an amount of received load corresponding to received data transferred from said plural clients and said shaper value; and

discarding, prior to receipt of at least a portion of said received data to said processing unit, a part of said received data exceeding said shaper value when said the amount of said received load exceeds said shaper value.

15. (Previously presented) A received load control method at a network system in which a server connects to plural clients through a network in accordance with claim 14, wherein, when the amount of said received load exceeds said shaper value and a part of said received data is discarded, and when a part of said received data is discarded by utilizing an EPD (early packet discard), a remaining part of said received data is discarded.

16. (Previously presented) A received load control method at a network system in which a server connects to plural clients through a network in accordance with claim 14, wherein, when the amount of said received load exceeds said shaper value and a part of said received data is discarded, a part of said received data is discarded from a packet

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including a low priority by utilizing a QoS (quality of service) based on an order of priority to each of said received data.

17. (Previously presented) A received load control method at a network system in which a server connects to plural clients through a network in accordance with claim 14, wherein, at said setting a shaper value, said shaper value is set by equipment disposed outside of said server.

18. (Currently amended) A server, comprising:

means for processing data;

means for setting a shaper value based on a receiving capacity of said means for processing data ~~said server~~; and

means for comparing an amount of received load corresponding to data received from a plurality of clients with said shaper value prior to receipt of at least a portion of said data by said means for processing data.

19. (Previously presented) The server in accordance with claim 18, further comprising means for judging whether a part of said data received should be discarded prior to receipt of said at least said portion of said data by said means for processing data.

20. (Previously presented) A received load control method comprising:

setting a shaper value corresponding to a data receiving capacity of a processing

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unit of a server;

determining whether an amount of received data is less than said shaper value;

transmitting said amount of received data to said processing unit if said amount of received data is less than said shaper value; and

transmitting a part of said amount of said received data to said processing unit if said amount of received data is not less than said shaper value.

21. (Currently amended) The received load control method according to claim 20, further comprising:

outputting said value to a shaper; and

discarding a remaining part of said amount of said received data that exceeds said shaper value prior to transmitting said part of said amount of said received data to said processing unit.

22. (Previously presented) The server in accordance with claim 1, wherein said received data comprises a data packet.

23. (Currently amended) The server in accordance with claim 1, wherein said designated value is set based on a receiving capacity of said processing means of said server and a predetermined margin of receiving capacity of said processing means of said server.

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24. (Currently amended) A server, comprising:

a processing unit that processes data;

a comparator that compares an amount of received load corresponding to received data transferred from plural clients with a designated value; and

a judger that judges whether a part of said received data should be discarded prior to receipt of at least a portion of said received data by said processing unit,

wherein said server controls said received load corresponding to said received data transferred from said plural clients based on a judged result of said judger.